

G. Scott Williams (SBN 226516)
 Seltzer Caplan McMahon Vitek
 2100 Symphony Towers
 750 B Street
 San Diego, California 92101
 Tel: (619) 685-3151
 Fax: (619) 702-6842
 E-mail: swilliams@scmv.com

*Attorneys for Defendants Goldhofer,
 Intermountain and Barnhart*

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

ALPHA ONE TRANSPORTER, INC.,
 a California corporation, and
 AMERICAN HEAVY MOVING AND
 RIGGING, INC., a California
 corporation,

Plaintiffs,

v.

PERKINS MOTOR TRANSPORT,
 INC., d/b/a PERKINS SPECIALIZED
 TRANSPORTATION, a Minnesota
 corporation,

Defendant.

Case No. 13-CV-2662-H
 Case No. 13-CV-2663-H
 Case No. 13-CV-2669-H

ALPHA ONE TRANSPORTER, INC., a
 California corporation, and AMERICAN
 HEAVY MOVING AND RIGGING,
 INC., a California corporation,

Plaintiffs,

v.

GOLDHOFER FAHRZEUGWERK
 GMBH & CO., a German corporation,
 INTERMOUNTAIN RIGGING AND
 HEAVY HAUL, a Utah corporation, and
 BARNHART CRANE AND RIGGING
 CO., a Delaware corporation,

Defendants.

**DEFENDANTS GOLDHOFER,
 INTERMOUNTAIN AND
 BARNHART'S NOTICE OF MOTION
 AND MOTION FOR SUMMARY
 JUDGMENT OF INVALIDITY OF
 PLAINTIFFS' U.S. PATENT 8,424,897**

ALPHA ONE TRANSPORTER, INC., a
 California corporation, and AMERICAN
 HEAVY MOVING AND RIGGING,
 INC., a California corporation,

Plaintiffs,

v.

BRAGG COMPANIES d/b/a HEAVY
 TRANSPORT, INC., and SCHEUERLE
 FAHRZEUGFABRIK GMBH, a German
 corporation,

Defendants.

Date: July 7, 2014
 Time: 10:30 a.m.
 Courtroom 15A

Hon. Marilyn L. Huff

TO PLAINTIFFS AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on July 7, 2014, at 10:30 a.m., or as soon thereafter as counsel can be heard, in the courtroom of the Honorable Marilyn L. Huff (Courtroom 15A), located at 333 West Broadway, San Diego, California 92101, Defendants Goldhofer AG (“Goldhofer”), Intermountain Rigging and Heavy Haul (“Intermountain”), Barnhart Crane and Rigging Company (“Barnhart”) (collectively “Defendants”) will, and hereby do, move for summary judgment.

The Motion will be and hereby is made on the grounds that Plaintiffs’ U.S. Patent No. 8,424,897 is invalid in view of Plaintiffs’ prior disclosures and publication as as well as activities, including sales of the claimed system.

The Motion will be and is based upon this Notice of Motion and Motion; the accompanying Memorandum of Points and Authorities and Declaration of P. Branko Pejic (and Exhibits thereto); all pleadings and papers on file in this action; and upon such other matters as may be presented to the Court at or before the time of the hearing.

Dated: May 16, 2014

Respectfully submitted,

/s/ G. Scott Williams

G. Scott Williams (226516)
Seltzer Caplan McMahon Vitek
2100 Symphony Towers
750 B Street
San Diego, California 92101
Tel: (619) 685-3151
Fax: (619) 702-6842
E-mail: swilliams@scmv.com

*Attorneys for Defendants Goldhofer AG,
Intermountain Rigging and Heavy Haul,
and Barnhart Crane and Rigging Co.*

OF COUNSEL:

GREENBLUM & BERNSTEIN, P.L.C.
Neil F. Greenblum
P. Branko Pejic

1 Jill M. Browning
2 1950 Roland Clarke Place
3 Reston, VA 20191
4 (703) 716-1191
5 ngreenblum@gbpatent.com
6 bpejic@gbpatent.com
7 jbrowning@gbpatent.com
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28